

SENATE—Friday, May 14, 1999

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, give us the patience that frees us to work with joy and peace. We affirm John Adams' words: "Patience, Patience, Patience! The first, and last, and the middle virtue of a politician." We agree, but we need Your spirit to develop patience within us. Many of us want everything yesterday. Some of us are distressed by people who are quick to speak and slow to change. Others of us chafe under the laborious process of progress. Still others are really impatient with themselves.

Today, remind us that this life is but a small part of eternity. Give us an acute sense of the shortness of time and the length of eternity. Reorder our priorities and help us to live with a relaxed trust in You. Since there is no panic in Heaven, replace our panic over little things with the peace of Your power to deal with the big things that truly matter. Today, guide the Senate to come to an agreement on legislation for gun control that is best for our Nation. Through our Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator, the chairman of the Judiciary Committee, is recognized.

SCHEDULE

Mr. HATCH. Mr. President, this morning the Senate will resume consideration of the juvenile justice legislation. There will be two back-to-back votes at approximately 9:40 a.m. The first will be on or in relation to the Hatch-Craig amendment, with a second vote on or in relation to the Schumer Internet firearms amendment immediately following. Additional amendments are anticipated, and therefore further votes are expected throughout today's session of the Senate. The cooperation of Senators is appreciated as the bill's managers work to finish this important legislation.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. CRAPO). Under the previous order, the leadership time is reserved.

VIOLENT AND REPEAT JUVENILE OFFENDER ACCOUNTABILITY AND REHABILITATION ACT OF 1999

The PRESIDING OFFICER. Also, under the previous order, the Senate will now resume consideration of S. 254, which the clerk will report.

The legislative assistant read as follows:

A bill (S. 254) to reduce violent juvenile crime, promote accountability and rehabilitation of juvenile criminals, punish and deter violent gang crime, and for other purposes.

Pending:

Hatch/Craig amendment No. 344, to provide for effective gun law enforcement, enhanced penalties, and facilitation of background checks at gun shows.

Schumer amendment No. 350, to amend title 18, United States Code, to regulate the transfer of firearms over the Internet.

AMENDMENT NO. 344

The PRESIDING OFFICER. Under the previous order, there will now be 5 minutes of debate on the Hatch-Craig amendment No. 344, the time to be equally divided in the usual form.

Who yields time?

Mr. HATCH. Mr. President, the Hatch-Craig amendment is an amendment that corrects a number of problems in this particular bill that people have complained about that we believe need to be corrected, but we also do a number of other things as well. We have more aggressive prosecution of violent minors who are going to continue to do violence unless we pass the accountability and the prevention efforts in this bill. It has enhanced penalties for the use of firearms, something that we need. It is probably the only thing that is going to make a real difference with regard to firearms. That is important. The amendment has increased maximum penalties for the use of firearms, and that is important as well. It has expanded protection for children.

For instance, we have the juvenile Brady bill within the underlying bill, but we are passing it again so everybody will know that all of this complaining by those who have tried to defeat this bill is just political posturing. The fact is we are going to prevent any juvenile who has used a gun in the commission of a crime from ever having a gun henceforth. That is the juvenile Brady bill.

Last, but not least, we are expanding the background checks. A couple of days ago Senator CRAIG tried to do a voluntary background check with incentives, which was a step forward in resolving this issue. However, the

Democrats wanted a very bureaucratic, very Government-oriented bill to do these background checks. The Hatch-Craig amendment provides for mandatory background checks and provides for more background checks than the Democratic alternative. We have a more stringent amendment than what the Democrats came up with, and we have offered this amendment in order to try to resolve the animosities and the problems that have existed on this gun show issue.

Last, but not least, I may get a little uptight with people who try to make the whole juvenile justice issue an issue about guns. Guns may be a part of it, and there is no question they are, and we are doing the things that are right with regard to guns. However, anyone who tries to reduce all of these juvenile justice problems in our society to guns is not only exaggerating but they are misreading the American people. The people realize that juvenile justice encompasses a lot more than just gun issues.

The PRESIDING OFFICER. Who yields time?

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Unfortunately, much of this has become about guns. As the distinguished chairman knows, one of the things in this amendment is a section that dismisses pending State and Federal lawsuits, overrides all the State legislatures, all the State courts, just dismisses them on behalf of gun sellers and manufacturers.

I yield 1 minute to the distinguished Senator from New York and the remaining time to the distinguished Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I thank the Senator from Vermont.

This proposal is as riddled with loopholes as the previous Craig proposal. No. 1, you can buy guns at gun shows without any background check through the new provision of special licensees. No. 2, criminals can buy guns at pawnshops without any background check—a step backward. No. 3, there is still immunity in lawsuits. But most importantly, anyone who thinks that we close the gun show loophole with this amendment is mistaken, because special licensees neither have to make a background check nor file any reports.

Please do not think that we are closing the gun show loophole with this amendment. I urge my colleagues in strong terms to oppose it. We should pass the Lautenberg amendment. That